

**VILLAGE OF LAKEVIEW  
PLANNING COMMISSION MINUTES  
September 28, 2022**

Vice Chair Farrell called the Planning Commission Meeting to order at 6:30 P.M.

**Members Present:** Emily Griffith, Chad Lincoln, Ed Winter (left meeting at 7:00 pm), Gary Padden and Craig Farrell.

**Members Absent:** Dave Lund, Michelle McElhinny Gail Dolbee.

**Also Present:** Manager Dood and Melissa King

**Guests:** Doug Piggott

**Agenda Approval:** Winter moved and Griffith seconded to approve agenda as presented. Motion carried.

**Public Comments:** None

**Standing Items:** Lincoln moved and Griffith seconded to approve the minutes from August 30, 2022 as presented. Motion carried.

## **BUSINESS**

### Review Draft of Zoning Ordinance

The draft was reviewed page per page.

Chapter 1, section 1.04, a provision was added stating that if our ordinance is more stringent than another ordinance than our ordinance would prevail unless the other ordinance preempts a zoning ordinance.

Chapter 2, section 2.02, the Lot term was revised to add (and their associated limited common elements) to the first sentence to be clear that in the case of a site condo unit, this is what constitutes the lot. In the front lot line, the last sentence was revised. It now states that in the case of a lot having frontage upon a lake, river, or stream, the front lot line shall be the line separating such lot from the street right of way. Definition of mobile home park will be deleted from this chapter because it is in the table of uses. A definition for non-conforming structure was added. For Actual Setback, a sentence was added at the end stating it is also referred to as the building line. Billboard signs was deleted in definitions because it is defined in the definitions article. Free standing signs, inflatable signs and human directional signs are deleted because these terms are not actually used in any part of the ordinance. Real estate signs were also deleted. A yard definition illustration will be added to this section.

Chapter 3, section 3.03, item 4 was deleted because we don't have railroad lines. In section 3.09, table of uses, mobile home parks must get a special use permit. Contractor yards will be deleted as a sperate use. Junk and salvage yards will need a SLU. In Table of use requirements, commercial uses, a parking requirement was added to automobile sales and service. For laboratory, medical or dental clinic, a definition and parking requirement was added. Outdoor assembly and entertainment are defined as a permanent facility for the conducting of concerts and outdoor gatherings. 1 space per 3 people max. occupancy. Parking may be established on lawns rather than a paved surface. Under institutional uses, parking requirements were added for cemeteries, colleges, universities and community centers. In other uses, a definition was added for accessory solar energy system, adaptive reuse, airport, billboards, recreational vehicle parking, satellite dish, swimming pools, telecommunication antennae, telecommunication tower, temporary uses or structures and uses not listed

in table of uses. In section 3.10 we will add separate side yard setbacks for street side lots in the dimensional requirements table. In section 3.11 under eligibility requirements, arterial street will be replaced with major street or state highway. The approval procedure states we have more than one reading of the amendatory ordinance and we only have one. The word first will be stricken from the sentence.

Chapter 4, section 4.05 added four standards to lots with water frontage. It was questioned whether the two lots would have to be joined as one property. It was recommended that anyone who is allowed to build an accessory building on a lot without a principle building under this provision must add a deed restriction to the property so that it cannot be sold separately from the lake front property. In section 4.10 you must have a zoning permit to move a building. Section 4.15 added language that states if you are only changing the fixture you don't need to comply with the ordinance. If the pole is being removed, it needs to comply with new restrictions. The need to provide screening for air conditioner units or similar items is for commercial property not residential property. Wellhead Protection is incorporated into Site Plan Review requirements.

Chapter 5, section 5.03, numbers 5 and 6 are the same as provisions in 5.04 prohibited signs. These will be deleted because they are a repeat. Section 5.08, candelas per square meter will only be explained once. The ground sign table in section 5.12 states R-1 and R-2 can have a ground sign max in 35 sq. ft. This will be for only non-residential uses. The same goes for wall signs.

Chapter 6, number 8 was repeated twice. This will be deleted. Section 6.03, If a parking area is changed or paved, it needs to meet requirements of the ordinance. Same with the landscaping, if the parking is changing it must meet landscaping requirements.

Chapter 7, section 7.08 the second sentence doesn't apply.

Chapter 8, section 8.02 will allow the Planning Commission to modify the landscaping requirements but it must state under what circumstances it is allowing the modification. The credit consideration for saving an existing tree shall only be for caliper of 8" or more.

Chapter 9, section 9.02, these requirements are only for site condominiums.

Chapter 12, section 12.02. Maintaining a list of non-conforming lots, uses, and structures was clarified. It states that if during the course of the zoning administrators' responsibilities they become aware of a non-conforming use, it will be added to an ongoing list that they maintain. In section 12.03 it talks about change of use. In the table of uses, if you go from one row to a new row in this table, it will require a zoning permit.

Chapter 13, Zoning Board of Appeals You can either have a ZBA as a separate entity or you can have the Village council serve as the ZBA. The ZBA is a separate body in the Village of Lakeview. Section 13.07 will be removed because it will not be the ZBA doing the initial interpretation of a use classified, it will be the Planning Commission. Section 13.10, if the Village asks the ZBA for an interpretation than a fee will be required. In section 14.01, the ZBA does not have the authority to initiate an amendment. Only the Village Council, Planning Commission or property owner can initiate an amendment.

Public Hearing is set for 6:30 PM on November 8, 2022.

Padden moved and Griffith seconded to adjourn at 7:51 PM. Motion carried.

Respectfully submitted,

Melissa King  
Village Clerk